

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U. S. DISTRICT COURT
DISTRICT OF NEBRASKA

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SWEET CORN PRODUCTS, L.L.C.,
a Nebraska Limited Liability Company,

OFFICE OF THE CLERK
CIVIL ACTION NO. 8:05CV267

Plaintiff,

CONSENT JUDGMENT

vs.
WHISKEY BARREL PLANTERS CO.,
INC., an Indiana Corporation,

Defendant.

This matter having come before the Court and it being represented to the Court that Plaintiff, Sweet Corn Products, L.L.C. ("Sweet Corn"), and Defendant, Whiskey Barrel Planters Co., Inc. ("Whiskey Barrel"), have now reached a compromise and settlement of all claims, counterclaims and defenses that were or could have been raised by them in this litigation, and on the basis of these representations, and the agreement of the above parties as set forth below, the Court hereby ORDERS, ADJUDGES AND DECREES as follows:

1. This Court has jurisdiction over the parties and the subject matter of this action. Venue is proper in this judicial district.
2. This action involves U.S. Patent No. 6,073,582 (the "'582 patent"), which duly and lawfully issued on June 13, 2000.
3. Plaintiff has proper standing to bring this action.
4. The '582 patent is valid and enforceable.

5. The use, distribution, importation, sale or offer for sale of the accused feeders, as alleged herein, constitutes infringement of the '582 patent.

6. Whiskey Barrel is permanently enjoined from infringing the '582 patent whether by direct or contributory infringement or by inducement to infringe.

7. This Court retains jurisdiction of this matter solely for purposes of the continued enforcement of the terms of the Consent Judgment and the underlying Settlement Agreement, and the resolution of any dispute with respect thereto.

8. The Complaint and Counterclaim in this action and all causes of action stated therein, including all defenses, are hereby dismissed with prejudice.

9. Each party shall bear its own costs and attorneys' fees.

IT IS SO ORDERED.

BY THE COURT:



LYLE E. STROM, Senior Judge
United States District Court

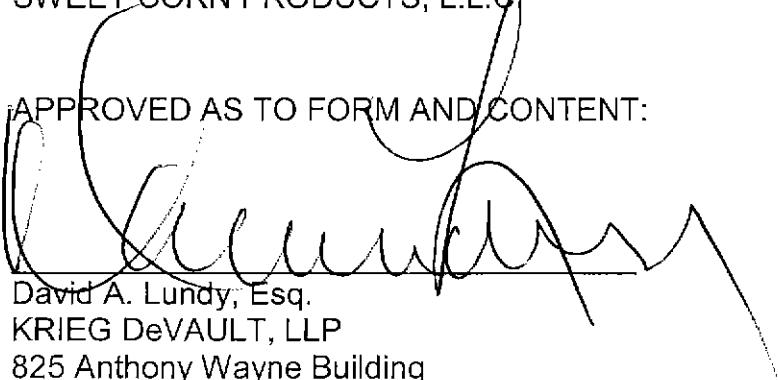
Date: 9/27/05

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